

**REMARKS**

**Summary of the Office Action**

Claim 11 stands objected to for minor informalities.

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,113,221 to *Weber et al.* in view of U.S. Patent No. 6,161,924 to *Mitani et al.*

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in view of U.S. Patent 5,736,995 to *Bohorquez et al.*

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in further view of U.S. Patent 6,079,819 to *Deshpande et al.*

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in view of *Deshpande et al.* in further view of U.S. Patent 6,203,142 to *Inui et al.*

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in view of *Deshpande et al.* in further view of U.S. Patent 5,988,798 to *Hirasawa et al.*

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in view of *Deshpande et al.* in view of *Inui et al.* in further view of U.S. Patent 6,139,131 to *Prasad et al.*

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in further view of *Prasad et al.*

**Summary of the Response to the Office Action**

Claims 1, 2, 3, 5 and 11 have been amended.

Accordingly, claims 1-11 are presently pending for further consideration.

**All Claims Recite Allowable Subject Matter**

Independent claims 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* Independent claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weber et al.* in view of *Mitani et al.* in further view of *Prasad et al.* Applicants respectfully traverse these rejections for at least the following reasons.

Claims 1 and 11 have been amended to recite, in part, that “the Ta-Si-O ternary alloy thin film resistive element is coplanar with at least two of the plurality of electrodes at the surface in contact with the ink.” Support for the Amendment can be found, for example, at page 27, line 23 to page 28, line 3 as well as throughout Applicants’ specification. No new matter has been added.

Regarding claims 1 and 11, Applicants respectfully submit that *Weber et al.*, *Mitani et al.* and *Prasad et al.*, whether taken singly or in combination, do not teach or suggest each and every feature of the independent claims 1 and 11, as amended. *Weber et al.*, *Mitani et al.* and *Prasad et al.*, whether taken singly or in combination, do not disclose a combination wherein the Ta-Si-O ternary alloy thin film resistive element is coplanar with at least two of the plurality of electrodes at the surface in contact with the ink. The Office Action concedes that “*Weber [et al.]* fails to disclose a Ta-Si-O ternary thin film resistive element” and alleges that *Mitani et al.*

remedies this deficiency. (See Page 4, lines 11-13.) *Mitani et al.* discloses a Ta-Si-O ternary thin film heater 3 as illustrated by any of Figs. 1, 2, 4(a)-(d), 5 and 6 that is not coplanar with thin film nickel conductor 5 (i.e., an electrode) at the surface in contact with the ink.

Applicants respectfully assert that the rejections under 35 U.S.C. § 103(a) should be withdrawn because *Weber et al.*, *Mitani et al.* and *Prasad et al.*, whether taken singly or in combination, do not teach or suggest each and every feature of the independent claims 1 and 11, as amended. None of *Bohorquez et al.*, *Deshpande et al.*, *Inui et al.* and *Hirasawa et al.*, whether taken singly or in combination, remedy the deficiency in *Weber et al.*, *Mitani et al.* and *Prasad et al.* Furthermore, Applicants respectfully assert that dependent claims 2-10 are allowable at least because of their dependence from independent claim 1 and the reasons set forth above.

### **Conclusion**

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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